

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PROSKAUER ROSE LLP,
Plaintiff,

1:22-cv-10918-AT-SLC

v.

JONATHAN O'BRIEN,
Defendant.

**DECLARATION OF KAREN M. CARBONE IN SUPPORT OF PLAINTIFF'S
MOTION FOR A PRELIMINARY INJUNCTION**

I, Karen M. Carbone, hereby declare as follows,

1. I am the Human Resources Officer of plaintiff Proskauer Rose LLP ("Proskauer" or the "Firm"). I have personal knowledge of the facts set forth herein and, if called to do so, could competently testify thereto.

2. I have been employed by Proskauer since January 4, 2022, first as Director of Human Resources, and, since January 1, 2023, as Human Resources Officer. From February 19, 2022 until his termination in December 2022, I reported directly to defendant Jonathan O'Brien, the former Chief Operating Officer of Proskauer.

3. Beginning in or around February 2022, I had regular weekly meetings with Mr. O'Brien to discuss any human resources issues or initiatives needing his attention, input or approval. The exceptions to our weekly meetings were generally when either Mr. O'Brien or I was on vacation, and during October and November 2022, during which time the Firm's year-end processes occupied Mr. O'Brien's attention.

4. Sometime in or around June or July 2022, Mr. O'Brien informed me he would be on vacation the last two weeks of July 2022. Mr. O'Brien said he would be in the Turks and Caicos Islands during that time, and that he was looking forward to it because he had not been on vacation in years.

5. On Monday, July 11, 2022, Mr. O'Brien's assistant, Tamalia Scott, sent an email canceling my meeting with Mr. O'Brien scheduled for July 14, 2022, informing me that Mr. O'Brien would be on vacation on that date. Ms. Scott confirmed in a subsequent email that Mr. O'Brien would be on vacation on July 14, 2022, and for the last two weeks of July. A true and correct copy of my email exchange with Ms. Scott is attached hereto as Exhibit 1.

6. I did not meet with Mr. O'Brien on July 14, 2022, July 21, 2022, or July 28, 2022—dates on which our regularly scheduled meetings would have occurred.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing statements are true and correct to the best of my knowledge.

Dated: New York, New York
January 18, 2023



Karen M. Carbone